UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-10323-RWZ

JOHN EVANS

Petitioner

v.

PAUL VERDINI, et al,

Respondents

NOTICE OF APPEAL

Notice is hereby given that JOHN EVANS, Petitioner in the above named case, hereby appeals to the United States Court of Appeals for the First Circuit from the July 13, 2005 order and judgment of dismissal of his petition.

Respectfully submitted, JOHN EVANS, by his attorney,

/s/Emanuel Howard

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Evans Not. Appeal USDC-/s/ 07.18.2005 "CORRECTED"